



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

William Fernandes
DEPT MR 74037
411A Highland Avenue
Somerville, MA 02144-2516
74037-51397655@requests.muckrock.com

Re: Appeal No. DOJ-AP-2019-007333
Request No. NFP-108194
MWH:PJA

VIA: Email

Dear William Fernandes:

You attempted to appeal from the action of the Federal Bureau of Investigation on your Freedom of Information Act request for access to records concerning individuals listed in an identity verification waiver.

Pursuant to the FOIA, 5 U.S.C. § 552 (2012 & Supp. V 2017), and 28 C.F.R. § 16.8(a) (2018), an appeal must be postmarked or transmitted electronically within ninety calendar days after the date of the response. By letter dated June 4, 2019, the FBI responded to your request and advised you of your appeal rights. Your letter attempting to appeal was postmarked on September 11, 2019, nine days after the regulatory deadline. Therefore, I am closing your appeal file due to your failure to appeal timely.

I note that you provided a certification of your identity under penalty of perjury to the FBI. As a result, this Office confirmed that the FBI opened a separate request to conduct a search for responsive records. The FBI assigned this to Request No. 1436664-000. If the FBI locates releasable records, it will send them to you directly, subject to any applicable fees. If you would like to determine the status of this request, you can contact the FBI directly.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

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If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

12/4/2019

X



Matthew W. Hurd

Acting Chief, Administrative Appeals Staff

Signed by: MATTHEW HURD